



Dep & Def
USPTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

SQUIRRELL et al.

Atty. Ref.: 1498-130

Serial No. 09/529,722

Group: 1656

Filed: April 19, 2000

Examiner: Steadman

For: METHOD FOR OBTAINING LUCIFERASE FREE OF
THERMOSENSITIVE ADENYLATE KINASE CATALYTIC
ACTIVITY

* * * * *

February 23, 2006

Mall Stop 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Sir:

REFUND REQUEST

The Office is requested to refund the undersigned's Deposit Account for the \$70.00 (Fee Code 1463) debited to Deposit Account No. 14-1140 in the monthly statement of January 2006, copy attached. A further explanation of the charge is requested in the event the Patent Office continues to believe the charge was appropriately made.

The \$70.00 (Fee Code 1463) for expedited handling of a foreign filing license charged to the undersigned's Deposit Account on January 9, 2006, is believed to be in error since a request for an expedited foreign filing license has never been filed by the undersigned in the above-identified application. The undersigned however filed an RCE with a 3 month suspension of action on January 6, 2006. Attached is a copy of the RCE

SQUIRRELL et al.
Serial No. 09/529,722

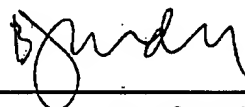
Transmittal filed January 6, 2006, indicating the RCE filing fee of \$790 (Fee Code 1801)
and a 3 month suspension of action fee of \$130 (Fee Code 1464).

Accordingly, in view of the above and attached, the \$70.00 fee charged by the
Patent Office to the undersigned's Deposit Account in the attached statement of
January 2006 is believed to be in error and a refund of the noted amount, or further
explanation, is requested.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



B. J. Sadoff

Reg. No. 36,663

BJS:pp
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

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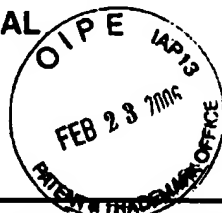
Deposit Account Statement

Requested Statement Month: January 2006
Deposit Account Number: 141140
Name: NIXON & VANDERHYE P.C.
Attention: MICHELLE N. LESTER
Address: 901 NORTH GLEBE ROAD, 11TH FLOOR
City: ARLINGTON
State: VA
Zip: 22203-1808
Country: UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
01/09	73	09529722	1498-130 MT	1463	\$70.00	\$20,371.98

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number 09/529,722

Filing Date April 19, 2000

First Named Inventor Squirrel

Group Art Unit 1656

Examiner Name Steadman

Attorney Docket Number 1498-130

COPY

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for continued Examination (RCE) practice under 37 C.F.R. § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. § 1.114.**

- a. ☐ Previously submitted (Note: Any previously filed unentered amendments will be entered unless applicant instructs otherwise. If applicant does not wish to have previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).)
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Amendment After Final Rejection

BEST AVAILABLE COPY2. **Miscellaneous**

- a. ☒ Suspension of action on the above-identified application is requested under 35 C.F.R. § 1.103(c) for a period of three (3) months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☐ Applicant claims "small entity" status.
- b. ☒ Fees are attached as calculated below:
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) \$790.00 (1801)/\$395.00 (2801) \$ 790.00
- ii. ☐ Petition is made to extend the due date _____ months (less _____ months previously paid) \$ _____
- iii. ☒ Other Suspension of action fee of \$130.00 (1464) \$ 130.00
- c. ☐ Check in the amount of \$ _____ enclosed.
- d. ☒ Payment by credit card (credit card payment form attached) in the amount of \$ 920.00
- e. ☒ The Director is hereby authorized to charge any deficiency in the fee(s) filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm), to Deposit Account No. 14-1140

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print Type)

B. J. Sadoff

Registration No. (Attorney/Agent)

36,663

Signature

Date

January 6, 2006

CERTIFICATE OF MAILING OR TRANSMISSION

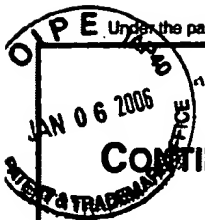
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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/529,722
Filing Date	April 19, 2000
First Named Inventor	Squirrell
Group Art Unit	1656
Examiner Name	Steadman
Attorney Docket Number	1498-130

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- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
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- b. ☒ Enclosed
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- iv. ☒ Other Amendment After Final Rejection

01/09/2006 JADD01 00000045 141140 09529722
81 FC:1801 790.00 OP
02 FC:1463 70.00 DA 130.00 OP

2. Miscellaneous

- a. ☒ Suspension of action on the above-identified application is requested under 35 C.F.R. § 1.103(c) for a period of three (3) months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
- b. ☐ Other _____

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print Type)	B. J. Sadoff	Registration No. (Attorney/Agent)	36,663
Signature		Date	January 6, 2006

CERTIFICATE OF MAILING OR TRANSMISSION

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Adjustment date: 03/21/2006 SDIRETA1
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02 FC:1463 70.00 CR -130.00 OP

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01 FC:1464 130.00 OP

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Adjustment Date: 03/21/2006 SDIRETA1
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02 FC:1463 70.00 CR -130.00 OP